



Ambassador Jeffrey L. Bleich – World Bar Conference

Introduction of the Chief Justice of the United States John Roberts at the University of Sydney

(As prepared for delivery – July 28, 2010)

It is a great honor to be able to introduce the Chief Justice of the United States and my friend, John Roberts.

In the United States, I rarely get the chance to say more than a few words about the Chief, simply because of the nature of his role there. There are certain positions at home where once you get the job, you really can't be introduced any more. People in the Vatican don't say for example, "tonight's speaker was born in Lower Bavaria, grew up in Traunstein, received his theology degree at the University of Munich, and became Archbishop in 1977. . . ." They say "Ladies and Gentlemen, The Pope." No one talks about President Barack Obama winning a Grammy award anymore. They say "Ladies and Gentlemen, The President of the United States."

So as much as I would like to talk about Chief Justice Roberts' extraordinary legal career, and many achievements, your superb Dean, Gillian Triggs, has already covered those earlier. So it is too late. All I can say is that he remembers everything he's ever read . . . and he has read everything.

So instead, let me say a few words about the position of Chief Justice itself. Both Chief Justice Roberts and I had the privilege of clerking for the prior Chief Justice, Chief Justice William Rehnquist. He clerked for the Chief from 1980-81 and I clerked from 1990-91.

Now, by the time we got there the Supreme Court and its Chief Justice had a substantial position in our governance. But that wasn't always the case. In its earliest years, the Supreme Court had a relatively shaky status – both in terms of its power relative to the other branches of government and relative to state courts. In fact, the first Chief Justice left after only a few years to run for Governor of New York. The next held office for only six months after failing to get confirmed. And the third treated the job as sort of a sideline while he ran for President of the United States and then served simultaneously as an Ambassador to France. It really wasn't until the legendary Chief Justice Marshall was appointed in 1801 that the Court and the role of the Chief clearly hit its stride.

Subsequent Justices have offered various explanations for why the Court is held in such high regard. Justice Robert Jackson suggested: "The Court is not final because we are



Ambassador Jeffrey L. Bleich – World Bar Conference

infallible; but we are infallible only because we are final.” Justice Brandeis felt Justices were so admired because “They are the only people in Washington, D.C. who do their own work.”

The Chief that we clerked for, Chief Justice Rehnquist, was a great historian of the Court with a real commitment to the law and to the institution of the Court itself. He used to talk about how every Justice sat in the shadow of Chief Justice Marshall. And studied and wrote books about the Court.

I recall at the end of our term, my co-clerks and I struggled to think of an appropriate gift for the Chief. We discovered that he had been reading extensively about the impeachment trial of Justice Chase, and was writing a book about it. So we pooled together what was left of our meager wages and purchased a rare print of the Chase Court to give him on our last day. That day, we had some photos taken with the Chief and we were all excited about the gift. In fact, just to drive home the thoughtfulness of the gift, I asked the Chief – “so, Chief, I understand that you’ve been writing a book about Justice Chase.” The Chief smiled and said, “Why yes, I’ve been reading all about him. And you know, I’ve concluded that he really was a pompous ass and a hypocrite.”

But he got to look at a picture of him every day after that.

The other story that I recall had to do with the Chief accessorizing his robe. His assistant had discovered somewhere a red silk sash that had been worn apparently by the first Chief Justice, John Jay, and could be seen in the Jay portrait. The Chief tried it on and came into my office to ask for an opinion. I didn’t quite know what to say other than it seemed to bring out the red in his eyes. Dissatisfied with that he said: “Let’s go see what Thurgood has to say.” I followed the Chief into Justice Thurgood Marshall’s chambers where, Justice Marshall was sitting behind his desk with his feet up reading some briefs. The Chief said: “Well Thurgood, what do you think.” Justice Marshall squinted over his glasses, surveyed the robe carefully, and said: “Chief, you look like a Rabbi.” Apparently not the look the Chief was trying to attain, because that was the last we saw of the sash.

My point in all this is that what makes the Court and its Justices great is not the titles or the ceremonial gowns, it is the quality and the character of the people.

The real answer to why the Court is as honored as it is, is the integrity and commitment of the Justices itself. The court does not have the power of the purse or of the sword. The only power it has is its integrity. By withstanding their personal views and biases and political pressures of the day, and staying faithful to the principals embodied in the Constitution they have made the Court and its members the most respected institution in American government.



Ambassador Jeffrey L. Bleich – World Bar Conference

Chief Justice Roberts is part of that great and proud lineage. He learned from Chief Justice Rehnquist who in turn learned from his boss the great Justice Robert Jackson. And this is what the Chief quoted about Justice Jackson:

“He had a quiet courage, which never led to a bellow of defiance but which permitted him to take in every instance the action he thought best without discernible thought of criticism or personal injury. He was modest in manner, yet supremely confident of himself and his judgment. He had a calm which no crisis could disturb, and standards of honorable conduct which were both rigorous and unshakeable.”

Ladies and Gentlemen, the Chief Justice of the United States.